

REMARKS

The claims are 1-11. Reconsideration of the claims is expressly requested.

Claims 1-11 were provisionally rejected as an obviousness-type double patenting over Claims 1-19 of co-pending application 10/422,733. That rejection is respectfully traversed.

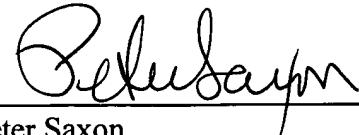
In support of their position, Applicants kindly draw the Examiner's attention to MPEP § 804, stating in relevant part that “[i]f the ‘provisional’ double-patenting rejection in one application is the only rejection remaining in that application, the examiner should then withdraw that rejection and permit the application to issue as a patent, . . .” MPEP § 804(I)(B) *at 800–19*.

Co-pending application 10/722,443 has not yet issued. Indeed, Applicants have refiled that application in a Request for Continued Examination (RCE) on March 4, 2005. Claims 6, 8, 10, 12, 13 and 18-25 in that application are currently under examination. Since the instant provisional double-patenting rejection remains the sole objection in the present Office Action, it should not preclude issuance of the present claims in order that the instant application can issue and serve, if appropriate, as a basis for an actual double-patenting rejection in the copending case. Accordingly, it is respectfully requested that this rejection be withdrawn.

The claims should be allowed and the case should be passed to issue.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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